



# Memorandum

**TO:** Mayor and City Council

**SUBJECT:** Censure of Mayor Gonzales and  
Removal From Office

**FROM:** Chuck Reed

**DATE:** December 9, 2005

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## RECOMMENDATION:

Censure the Mayor and set a hearing date of January 17, 2006 for removal of Mayor Ron Gonzales from office.

## BACKGROUND:

Censure of the Mayor is appropriate, but censure is no substitute for getting the truth.

The public has a right to know not only what happened, but also why it happened and why it was covered up. We have to find out if there is any truth to the allegations that the Norcal deal was part of a "bait and switch" by Norcal from the beginning. We have to find out if any favors were done or if money changed hands as part of the deal. The Mayor has said that other councilmembers knew what was going on. We need to find out who knew what and when did they know it.

If the Mayor is not willing to tell us truth, the whole truth and nothing but the truth on all of these questions, the Council should remove him from office under City of San Jose Charter Section 405 Judge of Qualifications, which provides:

**The Council shall be the judge of the election and qualification of its members, including the Mayor, and of any other elective officer, and of the grounds for forfeiture or loss of their respective offices, and for that purpose shall have the power to subpoena witnesses, administer oaths and require the production of evidence. A member, or the Mayor, or the holder of any other elective office, charged with conduct constituting grounds for forfeiture or loss of his or her office shall be given, if he or she so demands, an opportunity to be heard in his or her own defense at a public hearing after reasonable notice to such members.**

Chuck Reed  
Councilmember

cc: Lee Price, City Clerk

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San Jose City Clerk